

MAR 24 2003

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RCE/1648
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PTO/SB/30 (5/2000)
OMB 0651-0031
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
See 8.2.03

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REQUEST FOR CONTINUED Examination (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EL 500 575 241 US
Application Number	09/368,076
Filing Date	August 3, 1999
First Named Inventor	Hong Jin et al.
Group Art Unit	1648
Examiner Name	Lucas, Zachariah
Attorney Docket No.	7682-047

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Supplemental Information Disclosure Statement (IDS)
- iv. ☒ Other Substitute Sequence Listing

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 750.00
- ii. ☒ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 410.00 for a 2 month extension, the request for which is being made herewith
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Laura A. Coruzzi by: Jacqueline Benn	Registration No. (Attorney/Agent)	30,742
Signature	Laura A. Coruzzi Reg No. 43,492	Date	March 24, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner For Patents, Box RCE, Washington, DC 20231, or by facsimile transmitted to fax no. 1-703- _____ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)	Registration No. (Attorney/Agent)
Signature	Date

⊕ Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: HONG JIN et al.

Confirmation No. 5091

Application No.: 09/368,076

Group Art Unit: 1648

Filed: August 3, 1999

Examiner: Lucas, Zachariah

For: RECOMBINANT RSV VIRUS
EXPRESSION SYSTEMS AND VACCINES

Attorney Docket No.: 7682-047

AMENDMENT UNDER 37 C.F.R. §1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R:

In response to the outstanding Final Office Action dated October 22, 2002, please consider the following amendments and remarks. Applicants submit concurrently herewith: (1) a Request for Continued Examination Transmittal accompanied by the appropriate fee (in duplicate); (2) a Petition for Extension of Time under 37 C.F.R. § 1.136(a) for a period of two months from January 22, 2002 up to and including March 22, 2003, accompanied by the appropriate fee (in duplicate); (3) under separate transmittal, a Supplemental Information Disclosure Statement with Revised Form PTO 1449; (4) copies of Reference CL through DE; (5) a list of the claims as they will be pending upon entry of the amendments made herein (attached as Exhibit A); (6) a marked-up version of the claims amended in the instant amendment to show changes made herein (attached as Exhibit B); (7) a marked-up version of amended Table 18 (attached as Exhibit C); (8) under separate transmittal, a Substitute Sequence Listing in paper and computer-readable form; (9) a Statement under 37 C.F.R. § 1.825 affirming that the Substitute Sequence Listing and the computer-readable copy thereof are the same and do not include new matter; and (10) an Amendment Fee Transmittal sheet.

The original due-date for response to the Office action with a two-month extension of time, March 22, 2003, falls on a Saturday. Therefore, Applicants submission by Express Mail on Monday, March 24, 2003 is timely according to 37 C.F.R. § 1.7(a).

(Ins. P. placed before claims)